



U.S. Department of Justice

United States Attorney
Southern District of New York

MEMO ENDORSED

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

September 16, 2021

BY ECF

The Honorable Lewis A. Kaplan
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: *United States v. Ofer Abarbanel*, 21 Cr. 532 (LAK)

Dear Judge Kaplan:

The Government respectfully writes regarding the exclusion of time under the Speedy Trial Act, 18 U.S.C. § 3161, in the above-referenced case. On or about August 23, 2021 defendant Ofer Abarbanel was indicted and the case was assigned to Your Honor. On August 27, 2021 Calvin Scholar, Esq., who then represented the defendant, requested a substitution of counsel, with the defendant's consent, due to Mr. Scholar's trial schedule. The Court granted the request, and on August 30, 2021, Natali Todd, Esq., was appointed pursuant to the Criminal Justice Act.

The defendant, though counsel, then requested that his arraignment proceed by videoconference. An arraignment via videoconference has been scheduled for 3:30 p.m. on September 23, 2021. The Government respectfully requests that time be excluded under the Speedy Trial Act, 18 U.S.C. § 3161, from August 23, 2021 through September 23, 2021. The exclusion of time is in the interest of justice, as it allows the Court and the parties to schedule an arraignment, for the Government to make an initial discovery production, and for counsel to coordinate the receipt of hard drives for the production of further discovery. Ms. Todd does not object to the exclusion of time.

Granted. The interests of justice
dictate the interests of the
public and the defendant
and in a speedy trial for
the reasons stated.

Respectfully submitted,

AUDREY STRAUSS
United States Attorney

By: /s/

Allison Nichols
Assistant United States Attorney
Southern District of New York
Tel: (212) 637-2366

SO ORDERED

[Signature]
LEWIS A. KAPLAN, USDC

Cc: Natali Todd, Esq., Counsel to Ofer Abarbanel (by ECF)